



General Assembly

January Session, 2001

Amendment

LCO No. 8710

Offered by:

REP. STRATTON, 17th Dist.

To: Subst. House Bill No. 6997

File No. 769

Cal. No. 275

***"AN ACT CONCERNING TECHNICAL REVISIONS TO THE
ENVIRONMENTAL STATUTES."***

1 Strike sections 4 and 5 in their entirety and insert the following in
2 lieu thereof:

3 "Sec. 4. Subsection (d) of section 25-32 of the general statutes is
4 repealed and the following is substituted in lieu thereof:

5 (d) The commissioner may grant a permit for (1) the sale of class I or
6 II land to another water company, to a state agency or to a
7 municipality, or (2) the sale of class II land or the sale or assignment of
8 a conservation restriction or a public access easement on class I or class
9 II land to a private, nonprofit land-holding conservation organization
10 if the purchasing entity agrees to maintain the land subject to the
11 provisions of this section, any regulations adopted pursuant to this
12 section and the terms of any permit issued pursuant to this section.
13 Such purchasing entity or assignee may not sell, lease [,] or assign any
14 such land or conservation restriction or public access easement or sell,
15 lease, assign or change the use of such land without obtaining a permit

16 pursuant to this section.

17 Sec. 5. The regulations promulgated by the federal Environmental
18 Protection Agency as of January 1, 2001, that implement Subtitle C of
19 the Resource Conservation and Recovery Act of 1976, 42 USC 6901 et
20 seq. shall replace the regulations promulgated pursuant to chapters
21 445, 446d and 446k of the general statutes that pertain to the regulation
22 of hazardous wastes unless, prior to January 1, 2002, the Commissioner
23 of Environmental Protection has issued a public notice of intent to
24 adopt such federal regulations and such regulations are submitted to
25 the Secretary of the State, as provided under chapter 54 of the general
26 statutes, no later than June 30, 2002."

27 After line 238, insert the following:

28 "Sec. 8. Subdivision (26) of section 16-1 of the general statutes is
29 repealed and the following is substituted in lieu thereof:

30 (26) "Class I renewable energy source" means energy derived from
31 solar power, wind power, a fuel cell, methane gas from landfills, or a
32 biomass facility, including, but not limited to, a biomass gasification
33 plant that utilizes land clearing debris, tree stumps or other biomass
34 that regenerates or the use of which will not result in a depletion of
35 resources, provided such facility begins operating on or after July 1,
36 1998, and such biomass is cultivated and harvested in a sustainable
37 manner.

38 Sec. 9. Subdivision (24) of section 22a-207 of the general statutes is
39 repealed and the following is substituted in lieu thereof:

40 (24) "Wood-burning facility" means a facility as defined in section
41 16-50i whose principal function is energy recovery from wood for
42 commercial purposes. "Wood-burning facility" does not mean a
43 biomass gasification plant that utilizes land clearing debris, tree
44 stumps or other biomass that regenerates or the use of which will not
45 result in a depletion of resources.

46 Sec. 10. Subsection (b) of section 7-131g of the general statutes is
47 repealed and the following is substituted in lieu thereof:

48 (b) The Commissioner of Environmental Protection may make
49 grants under the open space and watershed land acquisition program
50 to: (1) Municipalities for acquisition of land for open space under
51 subdivisions (1) to (6), inclusive, of subsection (b) of section 7-131d in
52 an amount not to exceed fifty per cent of the fair market value of a
53 parcel of land or interest in land proposed to be acquired; (2)
54 municipalities for acquisition of land for class I and class II water
55 supply protection under subdivision (5) of subsection (b) of said
56 section 7-131d, in an amount not to exceed sixty-five per cent of such
57 value; (3) nonprofit land conservation organizations for acquisition of
58 land for open space or watershed protection under subdivisions (1) to
59 (6), inclusive, of subsection (b) of said section 7-131d, in an amount not
60 to exceed fifty per cent of such value; (4) water companies for
61 acquisition of land under subdivision (7) of subsection (b) of said
62 section 7-131d, in an amount not to exceed forty per cent of such value
63 provided if such a company proposes in a grant application that it
64 intends to allow access to such land for recreational uses, such
65 company shall seek approval of the Commissioner of Public Health for
66 such access; and (5) distressed municipalities or targeted investment
67 communities, as defined in section 32-9p, or, with the approval of the
68 chief elected official or governing legislative body of such a
69 municipality or community, to a nonprofit land conservation
70 organization, for acquisition of land within that municipality or
71 community, for open space under subdivisions (1) to (6), inclusive, of
72 subsection (b) of said section 7-131d, in an amount not to exceed sixty-
73 five per cent of such value or for performance of work in the
74 restoration, enhancement or protection of resources in an amount not
75 to exceed fifty per cent of the cost of such work. Applicants for grants
76 under the program shall provide a copy of the application to the
77 chairperson of the review board established under section 7-131e. The
78 board shall provide comments to the commissioner on pending
79 applications as it deems necessary.

80 Sec. 11. Section 22-380h of the general statutes, as amended by
81 section 4 of public act 01-87, is repealed and the following is
82 substituted in lieu thereof:

83 (a) Any veterinarian licensed pursuant to section 20-199 may file
84 with the commissioner, on forms provided by the commissioner, an
85 application to become a participating veterinarian in the program.

86 (b) In order to be certified by the commissioner as a participating
87 veterinarian, the veterinarian shall: (1) Perform all spay and neuter
88 surgical procedures in a veterinary hospital facility or mobile clinic
89 equipped for such procedures located in this state that meets the
90 standards set forth in regulations adopted by the commissioner, as
91 provided in section 20-196; (2) make all records pertaining to care
92 provided, work done and fees received for or in connection with the
93 program available for inspection by the commissioner or the
94 commissioner's [representative] designee; (3) maintain records in
95 accordance with regulations adopted under section 19a-14; and (4)
96 hold a currently valid license to practice veterinary medicine in this
97 state issued by the Connecticut Department of Public Health.

98 (c) Any licensed veterinarian of this state may be certified by the
99 commissioner as a participating veterinarian unless the commissioner
100 disqualifies such veterinarian. The commissioner may disqualify a
101 veterinarian if such veterinarian has been found in violation of any
102 provision of sections 22-380e to 22-380m, inclusive, as amended by this
103 act, or any laws relating to the practice of veterinary medicine. Any
104 veterinarian disqualified or otherwise denied participation in the
105 program may appeal, within ten days of receipt of a notice of such
106 disqualification or denial, to the commissioner who shall hold a
107 hearing to consider such appeal, in accordance with the provisions of
108 chapter 54.

109 (d) Complaints received by the commissioner or the commissioner's
110 [representative] designee regarding services provided by participating
111 veterinarians shall be referred to the Board of Veterinary Medicine of

112 the Department of Public Health.

113 Sec. 12. Subsection (n) of section 22a-174 of the general statutes is
114 repealed and the following is substituted in lieu thereof:

115 (n) The commissioner shall not issue a permit for an asphalt batch
116 plant or continuous mix facility under the provisions of this section
117 until July 1, [2001] 2004, unless the commissioner determines that the
118 issuance of the permit will result in an improvement of environmental
119 performance of an existing asphalt batch plant or continuous mix
120 plant. The provisions of this section shall apply to any application
121 pending on May 5, 1998. Nothing in this section shall apply to
122 applications for upgrading, replacing, consolidating or otherwise
123 altering the physical plant of an existing facility [with a permit to
124 operate] provided such upgrade, replacement, consolidation or
125 alteration results in an improvement of environmental performance or
126 in reduced total emissions of air pollutants.

127 Sec. 13. To further the efforts to preserve open space in the state and
128 to help realize the goal established in public act 99-173 to have at least
129 twenty-one per cent of the state's land held by the state, municipalities,
130 land conservation organizations and water utilities as open space, the
131 Department of Environmental Protection shall conduct an evaluation
132 of lands of class A water companies, as defined in section 16-1 of the
133 general statutes, to determine the resource value and potential
134 desirability of such lands for purchase for open space or public
135 outdoor recreation or natural resource conservation or preservation.
136 The water companies and land conservation organizations shall work
137 cooperatively with the department and provide maps and other
138 information to assist the Department of Environmental Protection in
139 the evaluation of these properties and said department shall develop
140 strategies for alternative methods of funding the preservation of water
141 company lands in perpetuity as open space.

142 Sec. 14. Section 22a-191a of the general statutes is repealed and the
143 following is substituted in lieu thereof:

144 (a) On or before February 1, 1994, the Commissioner of
145 Environmental Protection, in conjunction with the dioxin testing
146 program established under section 22a-191 and within available
147 appropriations, shall prepare a plan to implement a program of testing
148 of resource recovery facilities for the presence of mercury and other
149 metals in the air emissions of such facilities. Such plan shall be
150 submitted to the joint standing committee of the General Assembly
151 having cognizance of matters relating to the environment. Such testing
152 shall commence July 1, 1994, in accordance with applicable testing
153 protocols established by the United States Environmental Protection
154 Agency and shall be conducted at least once annually thereafter. The
155 costs of such testing shall be paid out of the solid waste account
156 established pursuant to section 22a-233.

157 (b) On or before January 1, 2002, and annually thereafter, the
158 operator of each sewage sludge incinerator in this state shall conduct a
159 stack test for the presence of mercury, metals and hydrocarbons in the
160 air emissions of each such incinerator. Such test shall be conducted,
161 and the results of such test reviewed and reported to the
162 commissioner, in accordance with any procedures established by the
163 commissioner and on any forms prescribed by the commissioner. After
164 reviewing such report, the commissioner may order additional testing
165 to be conducted or additional control measures to be undertaken at the
166 incinerator if the commissioner determines that such testing or
167 measures are necessary and reasonable for the protection of human
168 health or the environment.

169 Sec. 15. This act shall take effect from its passage, except that section
170 5 shall take effect July 1, 2002."